

Court No. - 51

Case :- WRIT - C No. - 39437 of 2023

Petitioner :- Umesh Chand

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Ganesh Shanker Srivastava, Subedar

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai, J.

1. Heard learned counsel for the petitioner and Sri Aditya Kesari, learned standing counsel for the state-respondent.
2. The instant writ petition has been filed, seeking a writ of mandamus, commanding respondent no.2/Naib Tehsildar, Tehsil Phoolpur, District Azamgarh to decide Case No.5478/2022 (Computerized Case No.T2023215060305478) (Adeshchandra vs. Sahdev @ Sahablal), under Section 35 of the U.P. Revenue Code, 2006, within the stipulated time.
3. Counsel for the petitioner states that the aforesaid mutation proceeding is pending before respondent no.2 since 9.11.2022 and even after expiry of more than 1 year, the same has not been decided. Copy of the order sheet has been annexed as Annexure No.3 to the writ petition, in order to demonstrate that the case is not proceeding according to the provisions of Rule 34(7) of the U.P. Revenue Code Rules, 2016.
4. In view of the facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.2 to decide the aforesaid proceedings to its logical conclusion, as expeditiously as possible, preferably within a period of 3 months, from the date of production of a certified copy of this order before the authority concerned, after affording proper opportunity of hearing to the parties concerned, in accordance with law.

Order Date :- 1.12.2023

C.Prakash